IN THE HIGH COURT OF JUDICATURE:CHHATTISGARH:BILASPUR

Writ Petition No. 514/2002

PETITIONER : The State of Chhattisgarh through the Secretary, Water Resources Department, Mantralaya D.K.S.Bhawan, Raipur (Chhattisgarh).

Versus

RESPONDENTS :

1. P.P. Gupta, aged about 50 years, S/o Late Shri Anand Dutt, Executive Engineer(Suspended) Tandula Water Resources ~~Water Resources~~ Division Durg, Civil Lines : Durg (Chhattisgarh)

2. The Registrar, M.P.Administrative Tribunal, Bench at Raipur (Chhattisgarh).

P.R. No. 514/02 received by Shrikant Khandelwal dated 05.03.02

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

(20)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P.No. 514/02

मामला क्रमांक ..... **सन्** 200

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DB:HON'BLE SHRI FAKHRUDDIN
& HON'BLE SHRI L.C.BHADOO,JJ

7-4-2004

Shri Sandeep Dubey, Panel Lawyer for the State/petitioner.

Heard.

Shri Dubey submits that this petition has been filed against the order dated 19-10-2001 passed by the State Administrative Tribunal.

The Tribunal in its order found that at the time of passing the order of suspension, the respondent No. 1 was posted at Durg and during the period of suspension, his headquarter has been fixed at Jagdalpur. Under the circumstances the Tribunal has arrived at a conclusion that the headquarters of respondent No. 1 will be at Durg where he was posted at the time of suspension.

We have heard the learned counsel for the petitioner and also gone through the order dated 19-10-2001 passed by the Tribunal. The respondent No. 1 was posted at Durg while he was suspended. During suspension his headquarters was fixed at Jagdalpur at a distant place. The Tribunal considered the earlier orders passed by various Benches. Counsel for the petitioner failed to point out the circumstances warranting

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(21)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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W.P.No. 514/02

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

change of headquarters. This suspension has taken place more than 3 years back and the Tribunal passed the orders on 19-10-2001.

Having heard the learned counsel and having given our thoughtful consideration to all the facts and circumstances of the case and material on record and in view of the Judgment in Surya Devi Rai –v- Ram Chndra Rai and another (JT 2003 (6) SC 465), in the opinion of this Court, there is no infirmity in the impugned order passed by the Tribunal dated 19-10-2001 warranting interference by this Court in exercise of extra ordinary jurisdiction under Article 226/227 of the Constitution of India.

The petition is accordingly dismissed.

Sd/-
Fakhruddin
Judge

Sd/-
L.C. Bhadoo
Judge

Rao/Pathak

[पीछे देखिये